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ABSTRACT

Assembly Bill (AB) 1725 provides for the hiring of faculty who do not meet the precise letter of the minimum qualifications, provided that the governing board of an institution determines that an applicant possesses qualifications that are at least equivalent. In order to make these determinations, each district must have and use an equivalency process. Criteria for determining equivalent qualifications include having the appropriate courses for a relevant degree but lacking a diploma, having a degree in another area, or having a degree with a different title. The more difficult case arises when experience or independent learning is proposed as the equivalent of academic work. The problem in this case is obtaining evidence to establish that a candidate really does have enough background to be judged as knowledgeable as someone with a degree. The candidate should be expected to provide the evidence, and the evidence must be as reliable and objective as a transcript. Faculty in the discipline will have to carry most of the responsibility of determining equivalency. In order to get relevant information to the discipline committee, applications should contain an opportunity for candidates to indicate whether they possess the minimum qualifications or, if not, why they think they possess equivalent qualifications. Regarding the difficulties of hiring part-time faculty, the funds provided under AB 1725 can provide for an increased number of classes taught by full-time faculty rather than part-time faculty. Where part-time faculty will be needed, a good hiring process should be used to prescreen a pool of candidates who can be hired when needed. In addition, each district can determine acceptable hiring procedures when time does not permit a full search for qualified applicants, and at what point it is best to cancel a class and reschedule in order to permit a fair and careful hiring. A proposed model of these equivalency procedures is attached. (JCM)

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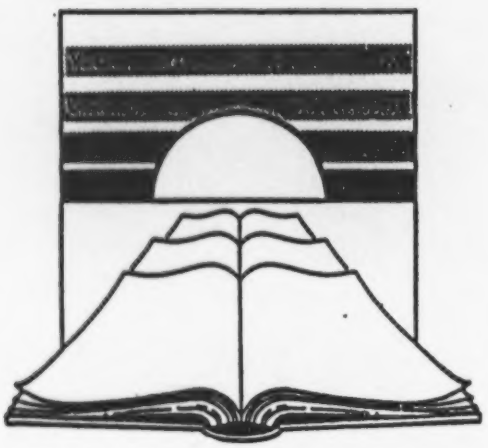

EQUIVALENCE TO THE MINIMUM QUALIFICATIONS

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EQUIVALENCE TO THE MINIMUM QUALIFICATIONS

A Position Paper and Model Prepared by the Academic Senate Educational Policies Committee

Assembly Bill 1725 provides for the hiring of faculty who do not meet the precise letter of the minimum qualifications, provided that "the governing board determines that he or she possesses qualifications that are at least equivalent" (87359). The criteria and process for reaching this judgment must be worked out between the local board and the local academic senate. The Academic Senate has received many requests to clarify the uses and meaning of equivalency. This paper presents some ideas that are intended to help faculty and administrators in local districts. However, this paper does not carry any state authority, since the equivalency process is by statute one that must be jointly agreed upon at the local level.

Every district will need to have and use an equivalency process. It does not lower standards to use it. It does not raise standards to avoid using it. The purpose of the equivalency process is to make our hiring less bureaucratic, less rigid. Applicants who can provide conclusive evidence that they have education or experience at least as good as what is required by the minimum standards deserve careful consideration, even if their degrees have different names or if they acquired their qualifications by a route other than the conventional one. If the equivalency process were not used at all, fully qualified candidates would not receive consideration.

On the other hand, the authority to determine equivalent qualifications does not give the authority to waive those standards and accept less qualified individuals. The fact that a particular candidate is the best that college can find does not affect the question of whether he or she possesses equivalent qualifications. The issue is not how badly an instructor is needed, but whether this person does have qualifications as good as those who do meet the letter of the minimum requirements.

Criteria For Determining Equivalent Qualifications

An easy and obvious criterion of equivalence is that someone has all the appropriate courses for the relevant degree but lacks the diploma or got the degree in another area or has the degree with a different label. If one got a degree in business because a particular college combined its economics and business programs, but a review of the transcript shows academic work the same as that for an economics degree, then obviously that business degree is equivalent to a degree in economics.

The more difficult case will be when experience or independent learning is proposed as the equivalent of academic work. The problem is not that material learned in a classroom could not also be learned in other ways. The problem is obtaining evidence to establish that a candidate really does have enough background to be judged as

knowledgeable as someone with a degree. The candidate should be expected to provide the evidence, and the evidence must be as reliable and objective as a transcript.

Specifically, the candidate should provide evidence that he or she has the equivalent not only of specialized knowledge of a particular discipline, but also of the General Education component. For example, the computer specialist with a bachelor's in history and years of work experience would, then, have the equivalent of a bachelor's or a master's in computer science as far as General Education is concerned. (The General Education required for the bachelor's degree would have been the same for different disciplines, and the General Education for a master's exists only in that a bachelor's is a prerequisite for getting into a master's program.) If this same person has worked in the computer industry for years but has no degree specifically in computers, then the committee at his or her college would be looking at the evidence provided concerning the character of the experience, its quantity as well as its diversity, to see whether this person's background does meet or exceed what someone would have coming out of a master's program in computer science. Evaluating experience will depend on the candidate's ability to provide objective, detailed information about what exactly he or she did. There is no reason to believe that some amount of experience automatically is the equivalent of a particular degree, so that 10 years of experience may not be the equivalent even of an undergraduate major. It depends on the nature of the experience.

Process For Determining Equivalent Qualifications

As difficult as it can be to make the judgment of whether experience with computers really is the equivalent of academic preparation, it is clear that faculty in the discipline will have to carry most of the responsiblity in making such a decision. However, to ensure that colleagues in various disciplines function with some consistency across the campus, there would need to be a way for faculty from outside the discipline to have a role.

In order to get the relevant information to the discipline committee, the application itself should contain an opportunity for candidates to indicate whether they possess the minimum qualifications or, if not, why they think they possess equivalent qualifications. This latter part could be a separate page with quite detailed questions:

What degree do you believe you have the equivalent of?
Do you claim the equivalent of the major for that degree? If so, what courses have you had on the basis of which you make this claim?
Do you have the equivalent of the General Education requirements for that degree?
What revelant courses have you taken? What other evidence can you provide that you have the equivalent of the General Education portion of this degree?
If you are using courses to establish the equivalency, please submit both an official transcript and copies of the appropriate pages from the college catalogue.
If you are using publications or other work products, please submit them if possible.
If you are using work products or other things which cannot be submitted, provide detailed information that is from an objective source about the nature of this work product or experience.

Of course, someone has the equivalent of a particular degree only if he or she has the equivalent of both the major and the General Education requirements.

Equivalent Qualifications of Part-Time Faculty

Determination of equivalent qualifications, as all issues in hiring, presents special problems when hiring part-time faculty. Part of the answer is to hire fewer part-time faculty by using the funds provided under Assembly Bill 1725 to increase the proportion of classes taught by full-time faculty. Where part-time faculty will be needed, a good hiring process should be used to prescreen a pool of candidates who can be hired when needed. Lastly, each district can determine through joint agreement acceptable adjustments in the hiring process when time does not permit full search for qualified applicants, and at what point it is best to cancel the class and offer it later in the term or the next semester in order to permit a fair and careful hiring.

This document is an attempt to provide guidelines for determination of equivalent qualifications. A hiring done without an equivalency process risks being arbitrary and unreasonable, disqualifying fully qualified candidates. A college that tries to use personnel office staff to establish equivalence is giving up the advantages of the new system, part of which is that professionals in a particular discipline are much the best people to make informed judgments about whether a certain set of courses or particular work experience is as broad and deep as the degree required. If the faculty in the discipline are at the heart of the equivalency process, if care is given when establishing the criteria and when drafting an application page to elicit the relevant information, then the determining of equivalence can be done fairly and expeditiously, while still maintaining the standards set in Assembly Bill 1725. For more detailed recommendations, please review the model of an equivalency process that is attached to this document.

EQUIVALENCY PROCEDURES: A PROPOSED MODEL

A Position Paper Prepared by the
Academic Senate Educational Policies Committee

PHILOSOPHY

It is the policy of the _____ Community College District that faculty hiring procedures and guidelines be established to provide for college faculty of highly qualified people who are expert in their subject areas, who are skilled in teaching and serving the needs of a varied student population, who can foster overall college effectiveness, and who are sensitive to and themselves represent the racial and cultural diversity of the adult population of the state of California. (1)

The governing board represented by the administration has the principal legal and public responsibility for ensuring an effective hiring process. (2) The faculty represented by the academic senate has an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process (3) which is to ensure the quality of its faculty peers. (4)

One part of the process needed to fulfill these responsibilities is a procedure for determining when an applicant for a faculty position, though lacking the exact degree or experience specified in the Disciplines Lists, nonetheless does possess qualifications that are at least equivalent. (5)

CRITERIA

Only infrequently will candidates meet the minimum qualifications through the equivalency process. Candidates do possess equivalent qualifications who have all the appropriate courses for a particular degree but do not possess the specific degree named on the Disciplines Lists. Very rarely, a candidate who is obviously highly qualified, who indeed may be the best qualified of all the candidates, will be able to demonstrate through publications or similar achievements that he or she has qualifications equivalent to those specified in the Disciplines Lists. However, the one who claims equivalent qualifications will have to provide conclusive evidence, evidence as clear and reliable as the college transcripts being submitted by the other candidates, that he or she has qualifications that are at least equivalent to what is required by the minimum qualifications. Specifically, the one making the claim must provide conclusive evidence in regard to each of the following:

I. For establishing the equivalent of a required degree, possession of at least the equivalent in level of achievement and breadth and depth of understanding for each of the following as separate and distinct criteria:

   A. The General Education required for that degree; and

B. The major required for that degree.

A candidate who does not provide conclusive evidence in regard to either A or B does not possess the equivalent of the degree in question.

II. For the equivalent of required experience, possession of thorough and broad skill and knowledge for each of the following as separate and distinct criteria:

A. Mastery of the skills of the vocation thorough enough for the proposed specific assignment and broad enough to serve as a basis for teaching the other courses in the discipline.
B. Extensive and diverse knowledge of the working environment of the vocation.

A candidate who does not present conclusive evidence in regard to either A or B does not possess the equivalent of the experience in question.

EVIDENCE

Conclusive evidence shall be:

1. A transcript showing that appropriate courses were successfully completed at an accredited college or appropriate foreign institution;
2. Publications that show a command of the major in question, the general education of the candidate, or his or her writing skill;
3. Other work products that show a command of the major or occupation in question.

SELECTION COMMITTEE PROCEDURES

Prescreening, if any, of applications shall be done in accordance with the district hiring policy as agreed upon by the academic senate and the governing board. The selection committee shall determine which candidates will receive an interview. No candidate shall receive an interview unless he or she meets the minimum qualifications or the equivalent of the minimum qualifications. If the committee has chosen a candidate for interview who does not meet the minimum qualifications, then the committee shall apply the policies established by the process described below. If the committee has chosen a candidate for interview who does not meet the minimum qualifications or the preestablished equivalency criteria, then the application and supporting materials for that candidate or those candidates shall be forwarded to the equivalency committee of the academic senate for review prior to any candidate receiving an interview. The selection committee shall also send to the equivalency committee a statement, for each criterion separately, based on which the candidate was judged to possess the equivalent of the minimum qualifications. [The college may wish to have better communication

between selection committees and the equivalency committee. Therefore, the college may wish to have a member of the equivalency committee actually sit with any screening committee whenever it is considering equivalency. Some colleges may wish to have the equivalency committee composed of four or more permanent members and one or more members from the discipline in question whenever it is necessary to consider equivalency.]

SENATE AND BOARD PROCEDURES

The responsibility of the equivalency committee of the academic senate committee is to ensure that selection committees all follow the same process for determining equivalency. The academic senate committee on equivalency shall consist of three or more members, each member selected for a term of at least one year, and at least one member who is also a member of the senate's affirmative action committee or has the approval of that committee as to his or her training and sensitivity to affirmative action issues. One or more of the faculty appointed by the academic senate shall be from ethnic, racial, and protected groups underrepresented among the faculty as a whole. The committee shall meet within five working days of receiving materials from the selection committee to review that work. At least one member of the screening committee shall meet with the senate equivalency committee.

If a candidate who does not possess the requirements specified in the Disciplines Lists is recommended for hire to the governing board, the board shall make an opportunity available for the academic senate to present its views before the board makes a determination as to the person's having equivalent qualifications; and the written record of the decision, including the views of the academic senate and the criteria and evidence used by the governing board in making the determination, shall be reflected in the governing board's action employing the individual and shall be available for review pursuant to Section 87358. (6)

The equivalency committee of the academic senate shall, by the end of its first year of operation, adopt policies further defining what evidence shall be required for establishing equivalency. These policies shall address such issues as the following:

A. For the equivalent of a master's degree, shall the General Education courses required for any bachelor's be regarded as sufficient, (since there is no General Education requirement at the graduate level)?
B. For the equivalent of an associate's degree, shall the work experience required by the minimum qualifications, six years, be accepted as the equivalent of the major? (If so, the candidate with six years of experience would need to show courses or other evidence only in order to establish the equivalent of the General Education for that degree.)
C. For establishing the equivalent of any degree or requirement, is providing evidence that the courses taken would have met the requirement of at least one accredited

college be sufficient or would it have to meet the requirement of the college at which they were taken or would they have to meet the requirement. for the associate's degree, of the college for which the candidate seeks to work?

Establishing specific requirements for determining the equivalent of the General Education component of a degree can be achieved by the committee on equivalency since those requirements are rather similar for different programs. Establishing the equivalence of work experience will be unique to each discipline. A committee comprised of faculty from the same discipline should list the specific skills mastery which will establish equivalence to the years of experience. For establishing the equivalent of the major, such a committee shall recommend measures of the quality of the experience, publications, or other work products that will establish equivalence to the major. That committee may be either a department committee or the committee which writes the job announcement or the selection committee. In any case, it must complete its work before any applications are reviewed. The proposal of the committee shall be reviewed by the academic senate committee on equivalency which must be satisfied that the requirements of each department are substantially similar to the requirements of other departments in level of proficiency required and that all departments are acting consistently with the letter and spirit of Assembly Bill 1725.

Setting out criteria in advance can make the process of determining equivalency more efficient and more consistent. However, there will always be unusual candidates. Therefore, the list of criteria shall only indicate what evidence will definitely be accepted. The qualifications of individual candidates may still be evaluated individually on the specific evidence submitted through the process indicated above.

FULL-TIME FACULTY SEEKING TO SERVE IN AN ADDITIONAL DISCIPLINE OR TO QUALIFY FOR ADDITIONAL FACULTY SERVICE AREAS

Faculty who are already employed under a contract may acquire new assignments or additional faculty service areas only if they meet the requirements specified in the Disciplines Lists, possess qualifications that are at least equivalent to those specified in the Disciplines Lists, or possess an appropriate credential. Those who believe that, although they lack both the specified qualifications and an appropriate credential, they do possess the equivalent shall be subject to the process described above except that the process shall begin when a faculty member submits a request together with the information required of candidates for hire as indicated above. A committee of discipline faculty, established as provided for selection committees in the hiring policy agreed upon jointly between the senate and the governing board, shall review that material and make a recommendation to the equivalency committee. That committee will make its recommendations to the governing board directly, since no interview or selection is involved. (This process resolves only whether the instructor has the equivalent of the minimum

qualifications, not whether he or she may be assigned to a new discipline.)

Review and Revision

This equivalency policy and its procedures are subject to review and revision at the request of either the academic senate or the governing board. Changes in this policy require the joint agreement of the academic senate and the governing board. Until there is joint agreement, this policy will remain in effect.

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1. Assembly Bill 1725, Section 4 (p)(1) "The laws, regulations, directives, or guidelines should help the community colleges ensure that the faculty and administrators they hire and retain are people who are sympathetic and sensitive to the racial and cultural diversity in the colleges, are themselves representative of that diversity, and are well prepared by training and temperament to respond effectively to the educational needs of all the special populations served by community colleges."
2. Assembly Bill 1725, Section 4 (s)(2) "The governing board of a community college district derives its authority from statute and from its status as the entity holding the institution in trust for the benefit of the public. As a result, the governing board and the administrators it appoints have the principal legal and public responsibility for ensuring an effective hiring process."
3. Assembly Bill 1725, Section 4 (s)(3) "Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as professionals. As a result, the faculty has an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process."
4. Assembly Bill 1725, Section 4 (t) ". . . While the precise nature of the hiring process for faculty should be subject to local definition and control, each community college should in a way that is appropriate to its circumstances, establish a hiring process that ensures that: (1) Emphasis is placed on the responsibility of the faculty to ensure the quality of their faculty peers."
5. Assembly Bill 1725, Section 87359 "No one may be hired to serve as a community college faculty member, instructional administrator, or student services administrator under the authority granted by the regulations unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in regulations of the board adopted pursuant to Section 87356. The criteria used by the governing board in making the determination shall be reflected in the governing board's actions employing the individual. The process, as well as criteria and standards by which the governing board reaches its determinations, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that each individual employed under the authority granted by the regulations possesses

qualifications that are at least equivalent to the applicable minimum qualifications specified in regulations adopted by the board of governors. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination; and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to section 87358."

6. Assembly Bill 1725, Section 87359 (quoted in footnote 5).

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